

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

JUN - 8 2015

JULIA C. DUDLEY, CLERK
BY:  DEPUTY CLERK

United States of America)

v.)

TRAVIS CARTER JONES)

Case No: 4:09CR00037-001

USM No: 14472-084

Date of Previous Judgment: 11/16/2010)

(Use Date of Last Amended Judgment if Applicable))

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 160 months is reduced to 144 months*.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 23

Amended Offense Level: 21

Criminal History Category: VI

Criminal History Category: VI

Previous Guideline Range: 262 to 327 months

Amended Guideline Range: 262 to 327 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☒ Other (explain):

Although the Career Offender Enhancement applies, Defendant was sentenced as if it did not because, when entering a plea agreement, all parties believed it would not apply. Extending the equities which motivated the variance in Defendant's original sentence to the present request, Defendant's reduction mirrors what he would have received had the Career Offender Enhancement not applied to his case.

III. ADDITIONAL COMMENTS

Defendant is sentenced to 144 months, but not less than time served. Defendant's sentence consists of 84 months on Count One and 60 months on Count Three, to be served consecutively. The government was given the opportunity to oppose Defendant's motions [ECF Nos. 79 & 81], but failed to do so.

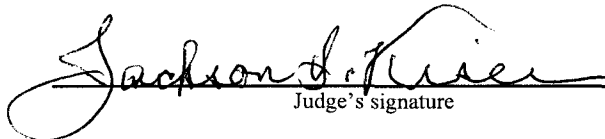
Except as provided above, all provisions of the judgment dated 11/16/2010 shall remain in effect.

IT IS SO ORDERED.

Order Date:

6/8/2015

Effective Date: 11/01/2015
(if different from order date)


Judge's signature

Hon. Jackson L. Kiser, Senior U.S. District Judge

Printed name and title